

## Message Text

CONFIDENTIAL

PAGE 01 SAIGON 00925 01 OF 02 211112Z

11

ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 IO-14 AID-20 DPW-01 ACDA-19 PM-07

H-03 INR-10 L-03 NSC-10 PA-04 RSC-01 PRS-01 SPC-03

SS-20 DRC-01 /132 W

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O R 210905Z JAN 74

FM AMEMBASSY SAIGON

TOMPOQHT/SECSTATE WASHDC IMMEDIATE 0973

INFO AMCONSUL BIEN HOA

AMCONSUL NHA TRANG

AMCONSUL DANANG

AMCONSUL CAN THO

USDEL JEC PARIS

AMEMBASSY BANGKOK

CINCPAC

C O N F I D E N T I A L SECTION 1 OF 2 SAIGON 00925

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: REACTIONS OF SAIGON POLITICAL LEADERS TO CONSTITUTIONAL

AMENDMENTS: PRELIMINARY REPORT

REF : SAIGON 0861

1. SOUNDINGS AMONG POLITICIANS BEFORE THE JAN 19 VOTES ON THE  
THREE NEW CONSTITUTIONAL AMENDMENTS REVEALED A RECOGNITION IN ALL  
CIRCLES AT EVEN THE EARLIEST STAGES THAT THE MEASURES WOULD BE  
APPROVED BY A COMFORTABLE MARGIN. THE MAIN QUESTION CONCERNED  
THE ATMOSPHERE OF THE PLENARY SESSION, SINCE IT WAS SEEN THAT  
A CONFRONTATION COULD EASILY OCCUR BETWEEN OPPOSITION  
FORCES AND THE PRO-ADMINISTRATION GROUP. EXTRAORDINARY  
SECURITY MEASURES WERE TAKEN BY THE POLICE TO PREVENT UNTOWARD  
INCIDENTS DURING THE SESSION. AS REPORTED REFTEL, TENSION  
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PAGE 02 SAIGON 00925 01 OF 02 211112Z

DID DEVELOP BUT NEVER REACHED MAJOR PROPORTIONS.

2. THERE HAS BEEN LITTLE VISIBLE REACTION IN THE PUBLIC, AND MOST OBSERVERS BELIEVE THAT PREOCCUPATION WITH TET AND A GENERAL LACK OF INTEREST IN PARLIAMENTARY POLITICS WILL PRECLUDE MAJOR DEMONSTRATIONS. THE CHIEF DANGER LIES IN AN EMBITTERED REACTION AMONG OPPOSITION LEGISLATORS AND THEIR POLITICAL ALLIES.

3. SIGNIFICANT REACTIONS IN POLITICAL CIRCLES JUST PRIOR TO THE JAN 19 SESSION ARE OUTLINED BELOW.

PRO-ADMINISTRATION POLITICANS

4. THE LOCAL PRESS LAST WEEK REPORTED VARIOUS JUSTIFICATIONS GIVEN BY PRO-ADMINISTRATION LEADERS FOR THE PROPOSALS. UPPER HOUSE CHRMN TRAN VAN LAM POINTED OUT TO NEWSMEN JAN 15 THAT RECONSTRUCTIONS AND DEVELOPMENTS PLANS ARE OF A FIVE-YEAR DURATION OR MORE, AND HE SAID THE PRESIDENTIAL AMENDMENT IS DESIGNED TO GIVE THE PRESIDENT TIME TO CARRY OUT SUCH PROGRAMS. SEN HUYNH VAN CAO REPORTEDLY CONCURRED IN THIS ASSESSMENT, SAYING THAT A FIVE-YEAR TERM IS MORE "LOGICAL" THAN FOUR YEARS. CAO ADDED: "NATURALLY NOBODY AGREES TO THE METHOD OF RUNNING AGAIN AND AGAIN INDEFINITELY THAT IS BEING ADOPTED IN A NUMBER OF ASIAN AND AFRICAN COUNTRIES." DEPUTY TRAN VAN DON WAS ALSO QUOTED AS STRESSING THE NEED FOR CONTINUITY OF LEADERSHIP FOR LONG-TERM DEVELOPMENT PROJECTS.

5. SPEAKING PRIVATELY TO AN EMBOFF JAN 17, LOWER HOUSE CHRMN NGUYEN BA CAN SAID THAT THE ADMINISTRATION DECIDED TO PRESENT THESE PROPOSALS AT THE PRESENT TIME BECAUSE IT FEARED THE ECONOMIC SITUATION WOULD WORSEN AS THE YEAR WENT ON, AND THEREFORE THE MOOD OF THE PUBLIC WOULD BE LESS FAVORABLE THAN NOW. CAN ALSO POINTED OUT THAT APRESIDENTIAL ELECTION LAW MUST BE PASSED IN EARLY 1975, AND IT IS BEST TO GET THE QUESTION OF THE PRESIDENTIAL TERM OUT OF THE WAY AS EARLY AS POSSIBLE BEFORE THAT DATE ARRIVES. (EACH NATIONAL ELECTION IN SVN IS CONDUCTED AS DIRECTED BY A SEPARATE ELECTION LAW PASSED BY THE ASSEMBLY.)

6. AS ASSISTANT TO PRESIDENTIAL AIDE NGUYEN VAN NGAN COMMENTED JAN 16 THAT THE PRESIDENTIAL AMENDMENT WAS BEING PRESENTED CONFIDENTIAL

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PAGE 03 SAIGON 00925 01 OF 02 211112Z

NOW, MIDWAY IN THIEU'S SECOND TERM, TO AVOID SPECULATION ON A POSSIBLE SUCCESSOR WHICH MIGHT WEAKEN THE ADMINISTRATION'S ABILITY TO GOVERN. IN ADDITION, HE CLAIMED THAT SHOULD A "WEAK" OR "SUSPECT" PERSON BE ON THE VERGE OF BECOMING PRESIDENT (HE MENTIONED GEN DUONG VAN MINH AND OPPOSITION SEN VU VAN MAU AS EXAMPLES), THE MILITARY MIGHT MOVE TO PREVENT SUCH A DEVELOPMENT. THUS, STABILITY DICTATES THAT THIEU CONTINUE IN OFFICE.

7. SAIGON DAILY DAN CHU, ORGAN OF THE PRESIDENT'S DEMOCRACY PARTY, EDITORIALIZED ON JAN 18 THAT THE PRESIDENTIAL FOUR-YEAR TERM IS "TOO SHORT TO ENABLE HIM TO COMPLETE HIS LARGE SCALE AND LONG-TERM PLANS AND PROGRAMS." DISCUSSING THE THIRD-TERM PROVISIONS, DAN CHU ACKNOWLEDGED THAT THE ORIGINAL CONSTITUTIONAL PROHIBITION ON A THIRD TERM HAD BEEN INSERTED BY THE CONSTITUTION-MAKERS IN 1967 BECAUSE THEY FEARED A REPETITION OF A DIEM-LIKE DICTATORSHIP. HOWEVER, THE DAILY ADDED: "THEY DID NOT KNOW THAT DICTATORSHIP IS NOT CAUSED BY THE FACT THAT THE PRESIDENT OF THE REPUBLIC CONTINUES IN OFFICE. WHETHER THERE IS A DICTORSHIP OR NOT DEPENDS ON THE DEGREE OF POLITICAL AWARENESS OF THE PEOPLE. IN SHORT PEOPLE ARE OVER-CAUTIOUS IN THIS MATTER. . . IN A DEMOCRACY, THE PRESIDENT IS NOT A KING. HE STILL HAS TO BE ELECTED BY THE PEOPLE."

8. ADMINISTRATION SOURCES JUSTIFY THE SUPREME COURT AMENDMENT AS A MEANS TO REFORM THE JUDICIARY, WHICH IS SAID TO BE RIFE WITH CORRUPTION. LIKEWISE, THEY POINT OUT BOTH THAT THE CONTINUING SECURITY PROBLEM MAKES THE APPOINTMENT OF PROVINCE CHIEFS AND MAYORS UNTENTABLE AND, THEY ADD, WERE THEY TO BE ELECTED, EVEN GREATER PROBLEMS OF LOCALIZED BUT NO LESS SEVERE CORRUPTION MIGHT ARISE.

PEOPLE'S RIGHTS GROUP IN THE LOWER HOUSE

9. ALL POLITICAL CIRCLES RECOGNIZE THAT A RECENT SWITCH BY SOME PROGRESSIVE NATIONALIST MOVEMENT (PNM) MEMBERS WHO BELONG TO THE PEOPLE'S RIGHTS GROUP IN THE LOWER HOUSE WAS THE KEY MOVE PUTTING THE ADMINISTRATION'S TALLY OVER THE TWO-THIRDS MARK, PERMITTING IT TO PRESENT THE PROPOSALS WITH CONFIDENCE OF PASSAGE. EIGHT MEMBERS OF THE 19-MEMBER

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 SAIGON 00925 01 OF 02 211112Z

PR GROUP SIGNED THE BILL PRESENTING THE AMENDMENTS, INCLUDING DPTY NHAN MINH TRANG, WHO HAS LONG BEEN THE LEADER OF THIS GROUP IN THE LOWER HOUSE. (HOWEVER, TRANG QUIETLY STEPPED DOWN AS HEAD OF THE PR GROUP IN FAVOR OF DPTY TRAN MINH NHUT A FEW WEEKS BEFORE THE AMENDMENTS WERE MADE PUBLIC, A MOVE POSSIBLE ANTICIPATING TRANG'S CHANGE OF VIEW.)

CONFIDENTIAL

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CONFIDENTIAL

PAGE 01 SAIGON 00925 02 OF 02 211256Z

44

ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

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O R 210905Z JAN 74

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C O N F I D E N T I A L SECTION 2 OF 2 SAIGON 00925

CINCPAC FOR POLAD

10. SOME OBSERVERS BELIEVE THAT THIS SWITCH WILL PERMANENTLY SPLIT THE PEOPLE'S RIGHTS GROUP, NOT TO MENTION THE PROGRESSIVE NATIONALIST MOVEMENT ON WHICH THE GROUP IS BASED. SHOULD A SPLIT OCCUR, ITS EFFECT WOULD BE FURTHER TO WEAKEN THE SOCIAL DEMOCRATIC ALLIANCE OF WHICH THE PNM IS A MAJOR COMPONENT. THE DEPUTIES WHO SWITCHED ARE SAID TO BE, IN AT LEAST SOME CASES, OLDER MEMBERS OF THE PNM HAVING TAN DAI VIET BACK-GROUNDS, WHILE THE YOUNGER PNM DEPUTIES TEND TO BE INTRANSIGENT AGAINST THE PROPOSED AMENDMENTS.

11. IN A COAYERSATION WITH EMBOFF JAN 17, PNM LEADER NGUYEN NGOC HUY DENIED THAT A PERMANENT SIMYT WILL OCCUR. TO BEGIN WITH, HE ASSERTED, MOST PNM H MBERS SUPPORT THE SUPREMEM COURT AMENDMENT AND THE AMENDMENT CONCERNING CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SAIGON 00925 02 OF 02 211256Z

PROVINCE CHIEFS. AS FOR THE PRESIDENTIAL AMENDMENT, THE PNM AS A BODY DISLIKES IT, BUT TOGETHER WITH OTHER

NATIONALIST GROUPS IT FEELS "PARALYZED" BY SVN'S CURRENT SITUATION. POSSIBLY THE COMMUNISTS WILL NEGOTIATE MORE SERIOUSLY, HE NOTED, IF THEY SEE THAT THIEU WILL REMAIN IN OFFICE UNTIL 1980.9 5#7 , THOSE PNM DEPUTIES WHO SUPPORTED THE AMENDMENT "HAVE THEIR REASONS."

12. HUY EMPHASIZED THAT THE PNM LEADERSHIP CONSIDERS THE DECISION TO SWITCH TO A PRO-ADMINISTRATION POSITION ON THIS ISSUE A "PERSONAL AFFAIR" FOR EACH PARTY MEMBER. HOWEVER, THE PNM CONCURRED IN THE MOVE AS PART OF A BROADER POLITICAL STRATEGY. HUY ASSERTED THAT THE SOCIAL DEMOCRATIC ALLIANCE (SDA), A PROVISIONALLY REGISTERED POLITICAL PARTY ENCOMPASSING THE PNM, THE FARMER-WORKER PARTY, QNE OTHER ELEMENTS, MUST AT ALL COSTS QUALIFY UNDER DL-060 BEFORE THE COMING DEADLINE SET BY THE LAW. AN INTRASIGENT OPPOSITION TO THE AMENDMENTS WOULD ONLY EVOKE HOSTILITY FOR THE ADMINISTRATION AND THUS LIKELY RENDER QUALIFICATION IMPOSSIBLE. TRAN QUOC BUU, THE LEADER OF THE SDA'S OTHER MAJOR COMPONENT THE FARMER-WORKER PARTY, AGREES WITH THIS VIEW, HUY SAID. (SUY DID NOT STATE THAT THIS SWITCHSRF ENOUGH VOTES TO GIVE THE ADMINISTRATION THESE AMENDEMENTS WAS THE RESULT OF A SPECIFIC DEAL WITH PRESIDENT THIEU ON QUALIFYING THE SDA, BUT ONE CAN INFER THAT HUY AT LEAST GOT A SIGNAL FROM THE ADMINISTRATION THAT SUCH A SWITCH WOULD BE HELPFUL.)

UPPER HOUSE LILY GROUP

13. THE INDPENDENT CATHOLIC-ORIENTED LILY GROUP IN THE UPPER HOUSE QUICKLY FOUND ITSELF IN STRONG OPPOSITION TO THESE AMENDEMENTS, IN A PROCESS OF ALMOST INPLUNTARY RADICALIZATION. SEN LE CHAU LOC SPOKE BITTERLY ABOUT THE MEASURES TO AN EMBOFF JAN 16.

HE FAVORED THE AMENDMENT CONCERNING PROVICE CHIEFS, BUT WAS ADAMANTLY OPPOSED TO THE SUPREMEM COURT AMENDMENT AND THE PRESIDENTIAL TERM AMENDMENT. HE RECOGNIZED THERE MIGHT BE SOME REASON UNKNOWN TO HIM, CONNECTED WITH NEGOTIATIONS WITH THE COMMUNISTS, THAT JUSTIFIA THE PRESIDENTIAL AMENDMENT, BUT HE WAS DOWCAST BY WHAT HE SAW AS THE INCREASED POWER GIVEN TO THE EXECUTIVE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SAIGON 00925 02 OF 02 211256Z

14. JUDGING FROM THE TONE OF HIS COMMENTS, IT WAS CLEAR THAT LOC'S DISCOURAGEMENT WAS RELATED TO THE SDA'S APPARENT OUT-MANEUVERING OF THE CATHOLIC-ORIENTED TU DO PARTY, TO WHICH HE BELONGED. LOC ALL BUT ADMITTED THAT THE TU DO PARTY COULD NOT NOW POSSIBLY QUALIFY AS A FULL-FLEDGED POLITICAL PARTY BY THE DEADLINE THIS YEAR. IT WAS PROBABLY THIS RECOGNITION THAT SPARKED SEN HUYEN'S ANNOUNCED "DISSOLUTION" OF THE PARTY, A FACE-SAVING GESTURE IN A LOSING SITUATION.

UPPER AND LOWER HOUSE OPPOSITION GROUPS

15. ON JAN 17 THE OPPOSITION PEOPLE'S SOCIETY BLOC IN THE LOWER HOUSE, SOME MEMBERS OF THE OPPOSITION LOTUS GROUP IN THE UPPER HOUSE, AND VARIOUS OTHER LEGISLATORS ISSUED A DECLARATION DENOUNCING THE THREE PROPOSED AMENDMENTS. JOINING THE OPPOSITION IN THIS STATEMENT WERE CHIEFLY THE INDEPENDENT NATIONALIST GROUP IN THE LOWER HOUSE, SIXHBEMBERS OF THE LOWER HOUSE PEOPLE'S RIGHTS GROUP (THUS HERALDING THE SPLIT IN THIS GROUP'S RANKS), AND THREE LILY GROUP SENATORS, THE SIGNATURES TOTALLED 51 LEGISLATORS. THIS NUMBER GREW TO 55 BY THE DAY OF THE JOINT SESSION.

16. CONVERSATIONS JAN 16 AND 17 WITH SEN VU VAN MAU, THE UPPER HOUSE OPPOSITIO

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THEY EXPECTED THE AMENDMENTS TO PASS

EASILY, LARGEY BECAUSE OF THE SPLIT IN THE PEOPLE'S RIGHTS GROUP.

BOTH MAU AND TUYEN WERE OPPOSED TO ALL OF THE AMENDMENTS, BUT AT THAT TIME SEEMED RESIGNED TO THE OUTCOME. THERE WAS EVEN A HINT OF ADMIRATION AT THIEU'S CLEVERNESS IN ARRANGING THIS MOVE SO SWIFTLY AND THOROUGHLY. IN TUYEN'S CASE, HOWEVER, THIS MOOD WAS MIXED WITH GRIMNESS ABOUT THE CONTINUING STRENGTH OF THE ADMINISTRATION'S FORCES AT THE EXPENSE OF THE OPPOSITION. ONE DEPUTY IN HIS GROUP, FOR EXAMPLE, HAD SURPRISINGLY GONE OVER TO THE ADMINISTRATION SIDE AND SIGNED THE AMENDMENT BILL, THUS DROPPING HIS BLOC TO 26, JUST ONE OVER THE MINIMUM REQUIRED FOR FORMAL BLOC STATUS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 SAIGON 00925 02 OF 02 211256Z

17. DEPUTY TUYEN DID HINT THAT THERE MIGHT BE TROUBLE DURING THE JAN 19 PLENARY SESSION IF HIS DEPUTIES FELT PUSHED TOO HARD BY THE OTHER SIDE. HE STATED THAT HE DID NOT WANT ANY TROUBLE, BUT FEARED THATRASSIONS MIGHT GET OUT OF HAND. HE RECALLED THAT A TENSE SITUATION HAD DEVELOPED IN THE LOWER HOUSE WHEN THE NATIONAL BUDGET WAS PASSED LAST NOV 30 (SEE SAIGON 20305). AS IT TURNED OUT, THE JAN 19 SESSION WAS GENERALLY ORDERLY THROUGHOUT. THE DAY WAS MARRED ONLY BY EXTRANEous DRAMATIC GESTURES OF LEGISLATORS OPPOSING THE AMENDMENTS.

18. NEITHER MAU NOR TUYEN EXPED PUBLIC DEMONSTRATIONS AGA

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## Message Attributes

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